



IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor                      Udo J. VETTER et al  
Patent App.                  10/821,253  
Filed                          8 April 2004  
For                              PREFILLED HYPODERMIC SYRINGE

Conf. No. 8401

Art Unit                      3763  
Hon. Commissioner of Patents  
Box 1450  
Alexandria, VA 22313-1450

Examiner Aimee, A

FIRST AMENDMENT

This is in response to the Office Action mailed  
28 July 2005.

Applicant herewith elects the device of claims 1 to 4  
with traverse.

Main device claim 1 and method claim 5 are of essentially  
identical scope. The examiner's statement that restriction is  
appropriate because the device of claim 1 could be made by a method  
of claim 5 by reversing the order of the first and second steps of  
claim 5. This is an inapposite argument in that there is nothing  
in claim 5 to indicate that the first step precedes the second  
step. In fact the use of the term "thereafter" in the subsequent

steps clearly indicates that these first two steps could be done in any order.

Thus the requirement for restriction is incorrect and must be withdrawn. All claims should be examined.

Respectfully submitted,  
The Firm of Karl F. Ross P.C.



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Enclosure:                      None.